

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ANDREW J. MILLER,

Plaintiff/Counter-Defendant,

v.

No. CIV 10-171 WJ/LFG

TOWN AND COUNTRY TOW YARD,  
ACME TOW YARD, CITY OF ALBUQUERQUE,  
SGT. KEVIN ROWE, DET. CARLA PEREZ,  
DET. MARIGRACE BARRERAS,  
DET. CHADWICK J. MELVIN, OFFICE OF THE  
DISTRICT ATTORNEY, DISTRICT ATTORNEY  
KARI BRANDENBERG, DEPUTY DISTRICT  
ATTORNEY ROBIN S. HAMMER, DEPUTY  
DISTRICT ATTORNEY MARK L. DREBING,  
E&A KAP, INC., d/b/a Town and County Towing,  
ACME TOWING & RECOVERY, INC.  
DUGGER'S SERVICES, INC., MUNOS WRECKER, INC.

Defendants/Counter-Plaintiffs.

**SUPPLEMENT TO PLAINTIFF IN INTERVENTION'S MOTION TO INTERVENE**

COMES NOW, Roberta Beale by and through her attorneys of record, MARTINEZ, HART & THOMPSON, P.C. (F. Michael Hart) and in support of her Motion to Intervene in these matters, submits the attached Exhibit "A", ***Order Granting Plaintiff's Motion for Partial Summary Judgment on Liability for Conversion*** entered by the Second Judicial District Court on April 13, 2011. Plaintiff-in-Intervention Beale requests the Court consider in deciding the Motion to Intervene that the state court has found Plaintiff Miller is liable to Plaintiff-in-Intervention Beale for conversion. As stated elsewhere in Plaintiff-in-Intervention Beale's pleadings, as well as through other documents before the Court, all amounts Mr. Miller used to purchase the vehicles at issue in this case were acquired by him as a result of illegal and improper conversion of Beale's money.

Respectfully Submitted,

**MARTINEZ, HART & THOMPSON, P.C.**

/s/ F. Michael Hart

F. Michael Hart  
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I HEREBY CERTIFY that a true and correct copy of the forgoing was served to all parties entitled thereto through the United States District Court CM/ECF electronic filing program, this 18<sup>th</sup> day of April, 2011, as follows:

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**MARTINEZ, HART & THOMPSON, P.C.**

/s/ F. Michael Hart

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